

## **FAIR HOUSING ACT**

### **Kansas City, Missouri**

**Section 39.271. Declaration of Policy.**—It is hereby declared to be the public policy of the City of Kansas City to bring about, through fair and lawful adjustment procedures and infliction of lawful punishment upon recalcitrant violators, the opportunity for each natural person to enjoy, as far as his individual capacity and ability permits, good, wholesome, and decent housing accommodations, without regard for his race, religion, national origin or ancestry.

It is further declared that this policy is grounded upon a recognition of the inalienable right of each natural person to provide for himself and his family, a place of abode according to his own choosing and as sufficient as his individual talents, industry, and circumstances permit and respecting the identical right of other natural persons; and, further, that the denial of such right through considerations solely based upon race, religion, national origin or ancestry is detrimental to the health, safety and welfare of the inhabitants of the City of Kansas City and constitutes an unjust denial or deprivation of such inalienable right which is properly within the power of government to prevent.

This act is applicable to any and all individuals, firms, partnerships, corporations and other entities, associations and organizations of every kind whatsoever directly or indirectly committing or attempting to commit discrimination, based on race, religion, national origin or ancestry in order to deny, inhibit, or otherwise interfere with the law-



ful acquisition, enjoyment or use of a housing accommodation within the territorial limits of the City of Kansas City.

**Section 39.272. Definition of Terms.**—As used in this article, unless a different meaning clearly appears from the context in which used, the following terms shall be taken to have the meaning ascribed in this section; provided, however, that no term shall be given a meaning which will be destructive to the policy of the City of Kansas City, to-wit:

(1) "Chairman" refers to the Chairman of the Fair Housing Committee;

(2) "Discrimination" refers to a distinction based upon race, religion, national origin or ancestry, under circumstances where such distinction is arbitrary, capricious or unreasonable.

(3) "Housing Accommodation" refers to any building, or structure, or portion thereof, or any unimproved land, which is used or occupied, or is intended, arranged, or designed to be used or occupied, as a home, residence, sleeping place or place of abode by one or more natural persons; excluding however, rooms in a single-family residence occupied by the owner thereof;

(4) "Person" in either the singular or plural form includes any firm, partnership, corporation, trust, association or other organization or entity of whatever character, as well as a natural person.

**Section 39.273. Prohibited Acts.**—It shall be unlawful for:

(1) Any real estate broker, salesman, agent, or employee thereof, to attempt or commit a discrimination with respect to the prospective transfer or transfer of any in-



terest whatsoever in a housing accommodation, or to deliberately and knowingly refuse examination of any listing of residential real estate to any person because of race, religion, national origin or ancestry.

(2) Any person, including, without limiting the generality of the foregoing, any real estate broker, salesman, agent or employee thereof, directly or indirectly to solicit the sale, lease or the listing for sale or lease, of residential property on the ground of imminent, prospective or eventual loss in the value of such property due to the present, imminent or prospective entry into the neighborhood of a person or persons of a particular race, religion or ethnic origin, or use such fact or suspicion as a sales or listing inducement or stimulant, nor shall he distribute or cause to be distributed material or make statements designed to induce a residential property owner to sell or lease his property due to such fact, suspicion or imminent change in neighborhood.

(3) Any person, including, without limiting the generality of the foregoing, any bank, money lending, credit securing or other financial institution, or any director, officer, agent or other employee thereof, to attempt or commit a discrimination in the conduct of its business when concerned directly or indirectly with the prospective transfer or transfer of any interest in a housing accommodation.

**Section 39.274. Punishment of Violators.**—Any person who shall violate any one or more of the provisions in Section 39.273 of this article shall, upon conviction therefor, be punished for each such violation by a fine not exceeding Five Hundred Dollars (\$500.00), or by imprisonment at the Municipal Farm for a period of time not to exceed one (1) year for each such violation, or by both such fine and imprisonment.



**FAIR HOUSING ACT****Kansas City, Kansas**

Section 1. It is hereby declared to be the policy of the City of Kansas City, Kansas, to bring about good, wholesome and decent housing accommodations through fair and lawful adjustment procedures and penalties for violators who deny any person the opportunity to enjoy said housing accommodations on account of race, religion, national origin or ancestry.

Section 2. It shall be unlawful for any person, real estate broker, salesman, agent or employee thereof, or any bank, money lending, credit securing or other financial institution, or any director, officer, agent or employee thereof, or any owner of any interest in a housing accommodation to discriminate with respect to renting, leasing or the transfer of any interest whatsoever in any housing accommodation or to aid, abet, incite, compel, coerce or conspire with other persons to discriminate in any housing accommodation on account of race, religion, national origin or ancestry; provided, however, that this section shall not apply to persons renting rooms in their own homes.

**CODE OF GENERAL ORDINANCES OF KANSAS CITY, MISSOURI ON SUBDIVISIONS****Sec. 31.4. Sale of lots from unrecorded plat.**

It shall be unlawful to sell, trade or otherwise convey or offer to sell, trade or otherwise convey any lot or parcel of land as a part of, or in conformity with any plan, plat or replat of any subdivision or portion of the city, unless such plan, plat or replat first shall have been recorded in the office of the recorder of deeds of the county in which such plat or replat is located. (R. O. 1956, § 54.040)



**Sec. 31.5. Building permits.**

The commissioner of buildings and inspections shall not issue building or repair permits for any structure located on a lot in any subdivision, the plat of which has been prepared after February 19, 1954, but which plat has not been approved or recorded in accordance with the provisions contained herein. (R. O. 1956, § 54.050)

**Sec. 31.14. Approval necessary.**

Before any plat of any subdivision referred to in section 31.6 shall be recorded or be of any validity, it shall have been approved by the city plan commission and by the director of public works, as having fulfilled the requirements of this chapter, and also the requirements of article XI and section 360 of the charter. (R. O. 1956, § 54.160)

**Sec. 31.15. Conditions prerequisite to recording.**

No plat of any subdivision shall be entitled to record in the county recorder's office or have any validity until the plat thereof has been prepared, approved and acknowledged in the manner prescribed by this chapter. (R. O. 1956, § 54.170)

**CHARTER OF KANSAS CITY, MISSOURI  
ON PLATS AND ZONING****Sec. 359. State law to be followed; plats to be acknowledged.**

Plats and maps of additions to the city or of subdivisions of land in the city, shall be made according to the general law of the state in force at the time. Such map or plat shall be acknowledged by the proprietor before some court or officer authorized by law to take the acknowledgment of conveyances of real estate, and recorded in the office of the recorder of deeds in Jackson County, Missouri.



**Sec. 360. Approval of city plan commission and director of public works; grade to be agreed upon.**

After the taking effect of this charter no plat of any addition to the city, or in the city, or of any subdivision of lands within the city, shall be recorded or be of any validity unless such plat shall have been submitted to the city plan commission, and its approval certified by the signature of the chairman endorsed thereon, and unless the approval of the director of public works shall also have been endorsed thereon. Before any such plat shall be approved by the director of public works and said commission, the streets, alleys and public highways shall be designated thereon and the grades thereof shall be determined by said director and agreed to by such proprietor, as the grade which shall be recommended to the council for establishment. Before approving any such plat the director of public works may require that said plat shall include the dedication of an easement in favor of the city on and in a strip not to exceed four (4) feet in width across the rear of each lot therein, or other convenient part thereof, to be designated by said director of public works, for the laying or constructing therein and thereon of sewers, conduits and pole lines; and he shall require that there be filed in his office a certificate from the proper person and authorities that all taxes and all liens and encumbrances of every sort on that part of the land dedicated or conveyed for public use have been satisfied of record.

**Sec. 361. City may grade; easements for lateral support; no damages to be allowed when.**

After any street, alley or public highway shall have been dedicated by any map or plat or by a conveyance to the city of any land for such use, the grades of the streets, alleys and public highways thereon shall be established by



ordinance. The city shall have an easement upon the land abutting on the said streets, alleys and public highways, permitting the city to use so much of said lands as may be necessary to provide adequate support for any fills made in grading said streets, alleys, and public highways to such established grade; or if the same may be done without substantial injury to any improvements thereon, the city may grade the front of any such abutting land sufficiently to prevent earth and other substances from sliding into such streets, alleys and public highways in cases where such grade leaves the abutting property above ground. In lieu of such easement retaining walls may be constructed at their own expense and on their own land by the owners or proprietors of said abutting lands according to plans approved by the director of public works, such construction to be done under his supervision and control. Said walls may be so constructed at the time said grading is done or at any time thereafter in the discretion of said owner or proprietor. The city shall have the right to grade, or otherwise improve the said streets, alleys and public highway to such established grade; and if such established grade be that which was agreed to by the proprietor of the lands platted at the time of such platting as aforesaid, same may be done without making compensation for damages therefor to other lands of the proprietor making the map or plat, or to other lands of the maker of the conveyance, and it shall be deemed and taken by all courts for all purposes, that just compensation was made for such damages and for said easements when such map or plat or conveyance was made, or that the right to the same was released, so that neither the original proprietor, nor anyone holding under such proprietor, shall have a right to compensation for such damages; provided however, that if, after the city shall have established the grade of any such street, alley or



public highway as aforesaid, the city shall change such grade and regrade the same, just compensation shall be made for damages resulting to any property from such change of grade and regrading, to be determined as hereinbefore provided in this charter.

**Sec. 362. Power to vacate streets and public places; approval of city plan commission.**

The city shall have exclusive control of all its public highways, streets, alleys, boulevards, parkways and public places, and shall have exclusive power to vacate or abandon any public highway, street, alley or public place, or any part thereof, and to vacate any platted addition or subdivision of land or part thereof within the corporate boundaries of the city; provided, that no such vacation or abandonment shall take place except by ordinance; and provided further, that no such ordinance shall be passed or take effect unless and until the recommendation of the city plan commission, evidenced by the signature of the chairman thereof, approving or disapproving such ordinance, shall have been endorsed thereon.

**Sec. 400. Organization and powers.**

There shall be a city plan commission consisting of eight (8) members who shall serve without pay and who shall be appointed by the mayor. The mayor shall designate one of such members as chairman of the commission. The members of the city plan commission at the time this charter takes effect shall constitute the first commission hereunder for the remainder of their terms. Appointment of successors shall be for a term of four (4) years, said term beginning on the tenth day of April in the year the appointment is made. In addition, the city manager, president of the board of park commissioners, director of public works, director of the water department, and director of



welfare shall be advisory members without vote. The commission shall have power to prepare or recommend plans for:

- (a) The location, extension, widening, construction, or improvement of streets, trafficways, boulevards, parks, playgrounds, community centers, other recreation facilities, public buildings, bridges, viaducts and subways;
- (b) A system or systems of widening and opening various through streets so as to relieve traffic congestion;
- (c) Matters of transit and transportation;
- (d) Districting and zoning the city as to use to which property may be put, and regulating the height, area and use of buildings and premises;
- (e) The improvement of the river front and flood protection;
- (f) The supervision and regulation of platting and opening subdivisions;
- (g) The future physical development of the city.

#### **Sec. 401. Zoning.**

The commission shall have power to prepare plans, reports and ordinances and to make recommendations thereon relating to the exercise of zoning powers as provided in this charter or by the laws of the state, particular reference being had herein to the exercise of the powers of the kind and character enumerated in clause fifty-five of section 1 of this charter.